

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Alexandria Division

In re:

DOUGLAS EDWARD DAVIS,

Debtor.

Case No. 05-11333-RGM
(Chapter 13)

MEMORANDUM OPINION

THIS CASE was before the court on February 22, 2006, on the trustee's motion to modify plan payments. The debtor appeared and requested that he be granted credit for adequate protection payments that he made to Transportation Federal Credit Union. The court reviewed the file and finds no order with respect to the treatment of the adequate protection payments. The court cannot now change the manner in which they were, in fact, treated without a motion and notice to Transportation Federal Credit Union and other creditors who may be adversely affected. Consequently, the debtor's request must be denied at this time without prejudice to bringing a motion with proper notice to Transportation Federal Credit Union and any other affected creditor.

The debtor requested that his monthly payment be increased rather than the length of his plan be extended.

The trustee's motion will be granted except that the additional funds required to complete the plan will be included in the present 36 month term of the plan with the monthly payments increased to meet the new requirement.

Alexandria, Virginia
February 23, 2006.

/s/ Robert G. Mayer
Robert G. Mayer
United States Bankruptcy Judge

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